

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEVIN PATRICK SULLIVAN,	:	CIVIL ACTION
Petitioner,	:	
	:	
	:	
v.	:	
	:	
KEVIN KUFFMAN, et al.,	:	
Respondents.	:	No. 15-5937

O R D E R

AND NOW, this 10th day of July, 2017, having considered the Petition for Writ of *Habeas Corpus* filed by Petitioner Kevin Patrick Sullivan (Docket No. 1), the accompanying Memorandum (Docket No. 23), the Government's Response thereto (Docket No. 24), Mr. Sullivan's Reply (Docket No. 29), U.S. Magistrate Judge Carol Sandra Moore Wells's Report & Recommendations (Docket No. 30), Petitioner's objections thereto (Docket No. 36), and Petitioner's state court record, it is hereby **ORDERED** that:

1. The Report & Recommendations are **APPROVED** and **ADOPTED**.¹
2. The Petition for Writ of Habeas Corpus is **DISMISSED** with prejudice without an evidentiary hearing.
3. There is no probable cause to issue a certificate of appealability.²

¹ In his objections, Mr. Sullivan primarily reiterates arguments found in his petition, memorandum, and reply, and repeatedly asks the Court to reexamine the record, sometimes without specifying what in the record would support his argument. However, as U.S. Magistrate Judge Wells correctly concluded in her thorough and well-reasoned Report and Recommendations, Mr. Sullivan's claims are either not cognizable or lack merit.

² A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210, 230 (3d Cir. 2004). The Court agrees with U.S. Magistrate Judge Wells that there is no probable cause to issue such a certificate in this action.

4. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

/s/ Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE